

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ARMANDO HERNANDEZ MARTINEZ,

Petitioner,

v.

NEIL CLARK,

Respondent.

CASE NO. C07-1497-RSM

ORDER OF DISMISSAL

The Court, having reviewed petitioner's 28 U.S.C. § 2241 petition, all papers and exhibits in support and in opposition to that petition, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's Petition for Writ of Habeas Corpus, Dkt. 6, is DENIED; Petitioner's Motion for Release on Bond Pending Adjudication and Request for Stay, Dkt. 11, is DENIED; Respondent's Motion to Dismiss, Dkt. 23, is GRANTED; and
- (3) The Clerk is directed to send copies of this Order to the parties and to Judge Donohue.

DATED this 19<sup>th</sup> day of June, 2008.



RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE

ORDER